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29 Attorneys for Defendant
30 Otto Trucking LLC

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

35 Waymo LLC,
36 Plaintiff,
37 v.
38 Uber Technologies, Inc.; Ottomotto LLC; Otto
39 Trucking LLC,
40 Defendants.

41 Case No. 3:17-cv-00939-WHA

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DECLARATION OF HAYES P. HYDE IN
SUPPORT OF PLAINTIFF'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL ITS OPPOSITION TO
OTTO TRUCKING'S MOTION FOR
SUMMARY JUDGMENT PRECIS [DKT.
NO. 1334]

46 Courtroom: 8
47 Judge: Hon. William Alsup
48 Trial: October 10, 2017

1 I, Hayes P. Hyde, declare as follows:

2 1. I am an attorney at the law firm of Goodwin Procter, LLP. I make this declaration
 3 based upon matters within my own personal knowledge and if called as a witness, I could and
 4 would competently testify to the matters set forth herein. I make this declaration in support of
 5 Plaintiff's Administrative Motion to File Under Seal Its Opposition to Otto Trucking's Motion for
 6 Summary Judgment Precis ("Opposition") and Exhibit 1 attached thereto [Dkt. No. 1334].

7 2. I have reviewed the following documents and confirmed that only the portions
 8 identified below merit sealing:

Document	Portions to Be Filed Under Seal
Opposition	Portions Highlighted in blue
Ex 1 to Waymo's Opposition	Entire Document

16 3. The highlighted portions of the Opposition include highly confidential, sensitive
 17 business information relating to negotiations and structure of the terms of Otto Trucking's
 18 agreements. This information is not publicly known, and its confidentiality is strictly maintained. I
 19 understand that this information could be used by competitors to Otto Trucking's detriment,
 20 including in the context of negotiating business deals. If such information were made public, I
 21 understand Otto Trucking's competitive standing could be significantly harmed.

22 4. The entirety of Exhibit 1 also contains references to highly confidential sensitive
 23 financial and business information of Otto Trucking and co-defendant Uber. I understand this
 24 information is not publicly known, and its confidentiality is strictly maintained. I further
 25 understand that co-defendant Uber has filed or will file a supporting declaration regarding the
 26 sealing of Exhibit 1.

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5. Defendant's request to seal is narrowly tailored to those portions of the Opposition and Exhibit 1 that merit sealing.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 28th day of August, 2017 in San Francisco, California.

/s/ Hayes P. Hyde
Hayes P. Hyde

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the
3 United States District Court for the Northern District of California by using the CM/ECF system
4 on August 28, 2017. I further certify that all participants in the case are registered CM/ECF users
5 and that service will be accomplished by the CM/ECF system.

6 I certify under penalty of perjury that the foregoing is true and correct. Executed this 28th
7 day of August 2017.

8 /s/ Hayes P. Hyde
9 Hayes P. Hyde

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